UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

Southern Division

Argus Leader Media, d/b/a Argus Leader V.
United States Department of Agriculture

PLAINTIFF EXHIBIT LIST

Case Number: 4:11-cv-04121-KES

Rame In Submict United States District Judge Jon E. Ameson Stophanie C. Bengford TRIAL DE UNITED May 24 and 25, 2016 COURT REPORTER COURT ROM DEP UT! May 24 and 25, 2016 Name 24 and 25, 2016 MARKED ADMITTED DESCRIPTION OF EXHIBITIS' AND WITNESSES 1 5 /24/16 Received 7 C.F.R. § 1.12 COUNT AND WITNESSES 2 5 /24/16 Received 7 C.F.R. § 1.12 COURT SUBMERS 3 To S. 24/16 Received AG's FOLA memorandum Congressional testimony (Concannon, 4-10) 5 To S. 24/16 To DOJ (Florida Trafficking) DOJ (Florida Trafficking) 6 To S. 24/16 To DOJ (SNAP search) DOJ (SNAP search) 9 To S. 24/16 To DOJ Guide to FOLA (AG memorandum DOJ Guide to FOLA (AG memorandum 10 To S. 24/16 Received Executive Order 12600 Open Government at USDA USDA 15 To S. 24/16 SNAP Edit SNAP Edit SNAP Edit 16 To S. 2	PRESIDING JUDGE					PLAINTIFF'S ATTORNEY	DEFENDANT'S ATTORNEY
May 24 and 25, 2016	Kar	Karen E. Schreier, United States District Judge				Jon E. Arneson	Stephanie C. Bengford
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2 2009-2011 Trafficking Report Summary 3 AG's FOIA memorandum 4 Congressional testimony (Concannon, 4-10) 5 Congressional Testimony (Pardis, 7-10) 6 DOJ (Florida Trafficking) 7 DOJ (Ohio Trafficking) 8 DOJ (SNAP search) 9 DOJ (Utah Trafficking) 10 DOJ 9-21-11 letter regarding FOIA request 11 DOJ Guide to FOIA (AG memorandum) 12 5/24/16 Received Executive Order 12600 13 Obama FOIA Memorandum 14 Open Government at USDA USDA 15 SNAP EBT 16 SNAP Eligible Food 17 SNAP Fed. Register 18 SNAP Fraud Poster 20 SNAP History	NO . DATE MARKED ADMITTED			MARKED	ADMITTED	DESCRIPTION OF EX	KHIBITS* AND WITNESSES
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17 SNAP Fed. Register 18 SNAP for Researchers 19 SNAP Fraud Poster 20 SNAP History	15					SNAP EBT	
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19 SNAP Fraud Poster 20 SNAP History	17					SNAP Fed. Register	
20 SNAP History	18					SNAP for Researchers	
·	19					SNAP Fraud Poster	
21 SNAP Household Map	20					SNAP History	
	21					SNAP Household Map	

22			SNAP Program Data
23			SNAP Reports
24			SNAP Research grants
25			SNAP Retail Eligibility
26			SNAP Retail Information
27			SNAP Retailer Info #2
28			SNAP Retailer Locator
29			Trafficking report press release
30			USDA Concannon Biography
31			USDA press release - 2013 fraud prevention
32	5/24/16	Received	USDA RFI press release (8-4-14)
33			Weatherly denial letter (received 2-17-11)
34			Gold declaration [21] regarding SNAP administration
35			Gold declaration [54-1] on need for RFI follow-up
36			Gold declaration [59] on RFI and declaration processes (1-20-15)
37			Gold declaration [78] defending processes(6-1-15)
38			Modine declaration [20] regarding SNAP records
39	5/24/16	Refused	Weatherly declaration [13-1] regarding cost of Exemption 4 notice
40			USDA FNS Trafficking Report 2009-2011 (Executive Summary)
41			Vilsack 9-24-13 letter to Ass'n Health Care Journalists
42			USDA ERS - 2014 Farm Act Maintains SNAP Eligibility Guidelines and Funds New Initiatives
43			Federal Register Enhancing Retailer Standards in SNAP
44			USDA Seeks Public Input to Increase Transparency of SNAP Retailer Data
45			Federal Register RFI (8-4-14)
46			USDA request for declarations (12-1-14)
47	5/24/16	Refused	USDA script(s) for e-mail and telephone notice to retailers
48			RFI comment search results for "compete"
49			RFI comment search results for "competition"
50			RFI comment search results for "competitive"
51			RFI comment search results for "competitive harm"
52			RFI comment search results for "substantial competitive harm"
53			RFI comment spreadsheet (alphabetized)

54			USDA Declarant Spreadsheet
55			Barbier (Big B's) declaration explanation
56	5/24/16	Received	Barbier (Big B's) declaration
57			Bourne (Ragland Brothers) declaration explanation
58	5/24/16	Received	Bourne (Ragland) declaration
59			Buche declaration explanation
60	5/24/16	Received	Buche declaration
61	5/24/16	Received	Champagne declaration
62	5/24/16	Received	Hays (Dyer) declaration
63			Hays (Food Rite) declaration explanation
64	5/24/16	Received	LeBlanc (Raintree) declaration
65	5/24/16	Received	Perret (Club Grocery) declaration
66			Snyder (Supervalu) declaration.
67	5/24/16	Received	St. Germain (Pierre Part) declaration
68	5/24/16	Received	Zahar declaration
69			FMI declaration (Barnes)
70			FMI Food Marketing Institute FMI Government and Public Affairs
71			FMI Food Marketing Institute FMI Research Resources
72			FMI Food Marketing Institute Food Marketing Institute
73			FMI Food Marketing Institute Supermarket Facts
74			FMI September 9, 2014
75			FMI 12/2/14 conference call
76			FMI 12/16/14 conference call
77			Clark (UFCW) RFI declaration
78			Levy (NYC Coalition Against Hunger) RFI declaration
79			Schwartz (Interfaith) RFI declaration
80			Stark (A'ssn Health Care Jounalists) RFI declaration
81			Wilde (Friedman School of Nutrition Science and Policy) RFI declaration
82			Forman (Cumberland) declaration
83			Kmart declaration (Macks)
84			Kmart State Store Directory/ Find a Nearby Kmart Store
85			Larkin (NGA) declaration

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86			Larkin (NGA) declaration explanation
87			Larkin expert report
88			Sougstad expert report
89			Volpe expert report
90			Bengford 5-3-14 e-mail
91			Bengford 6-16-14 e-mail.
92			Arneson 5-13-15 letter to USDA declarants
93			Arneson 6-10-15 follow-up letter to declarants
94			USDA's refusals to disclose post-RFI reports
95			USDA's RFI exemption 4 spreadsheet
96			Government Contract Chart
97	5/24/16	Refused	Government Program Chart
98			About Us What Consumers Watch and Buy Nielsen
99			Businesses in the United States // WhereOrg
100			National Retail Federation Home
101			Cortera B2B Insight Reports with SOFIETM – Cortera
102			Resources - Cortera
103			Food-us.org
104			Strategy& - the global strategy consulting team at PwC
105			Strategy& - the global strategy consulting team at PwC
106			Consumer Data National Retail Federation
107			Grocery Stores & Supermarkets Industry Profile from First Research
108			Stagnito Business information + Edgell Communications
109			Results of generic internet search for "market research for grocery stores"